

LSK&D #: 564-7016 / 962247

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
DOV FERSHTADT,

Plaintiff,

-against-

No. 07 CV 6963 (CM)

**AFFIRMATION OF  
ALLAN M. MARCUS**

VERIZON COMMUNICATIONS, INC., THE  
PLAN FOR GROUP INSURANCE,  
METROPOLITAN LIFE INSURANCE  
COMPANY, and UNUM LIFE INSURANCE  
COMPANY OF AMERICA,

Defendant.  
-----X

I, Allan M. Marcus, Esq., an attorney admitted to practice before this Court, declare pursuant to 28 U.S.C. § 1746, under penalties of perjury, that the following is true and correct:

1. I am of counsel to Lester Schwab Katz & Dwyer, LLP, attorneys for defendant Metropolitan Life Insurance Company ("MetLife") in the above-captioned action. I submit this Affirmation in support of MetLife's Motion to Dismiss.

2. Attached hereto as Exhibit A is a true and correct copy of p. 9-6 of the Verizon Long-Term Disability Benefits Plan's (the "Plan") 2004 Summary Plan Description ("SPD").

3. Attached hereto as Exhibit B is a true and correct copy of p. 34 of the Plan's 2005 SPD.

Dated: New York, New York  
December 27, 2007

  
\_\_\_\_\_  
ALLAN M. MARCUS